

may have led to the general error abroad. But notwithstanding that it was followed by the proclamation itself, the assertion was maintained with a pertinacity of which truth itself alone is worthy. And grave dissertations based upon this false assumption, flourished in the press of other States, and were copied into those of our own without a word of contradiction, while journals of Maryland continued their iteration of the falsehood to the last. In all this, added to the most malignant personality, there is a humiliating illustration, of the licentiousness, in contradistinction to the liberty of the press.

Martial law subjects a community exclusively to the dominion of military authority. To declare this law in civil communities is to supercede all civil authority, to establish in the place of the ordinary tribunals of justice, courts martial for the trial of all offenders whose proceedings are conducted exclusively under military supervision and control. The power to declare martial law is not vested in the Executive of the State of Maryland and its exercise was never for a moment a matter of the slightest contemplation. What was done in Baltimore is a matter of even frequent occurrence. That it shall not become still more so, is a matter for the corrective influence of the people themselves. Nor was this the first time that I have been called to Baltimore to authorize the employment of military force. As recently as the spring of the present year it became my duty to employ the services of the military for the defence of the property of the Baltimore and Ohio Rail Road Company, and the suppression of an organized mob upon the line of the road beyond the limits of the city. At that time no whisper was heard of martial law; on the contrary, so general was the sense of the necessity for the employment of military force, that I have yet to learn of opposition from any quarter whatever. Even the Board of Directors of that company, not remarkable for general concurrence of opinion, was represented to me as a unit upon that question.

A frivolous objection has been urged to military preparation in advance of an actual outbreak of violence. This is a thing so common as to preclude argument about it; in fact the Constitutional power vested in the Executive to enforce the execution of the laws would be an absurdity without it, and implies the duty of abundant preparation. I may instance the fact, that in our own State, a military force was sent a few years ago, from the city of Baltimore, to one of the counties to prevent a prize fight. The Governors of States are constantly in the habit of guarding the jails with a military force, when there is danger or even threats of summary punishment of criminals by popular violence. In some cases convicts have been guarded by military force, until the day and act of execution was over, to protect them against a mob. And I saw but a few days since an account of the execution of a malefactor upon which occasion an Artillery company was parad-